

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DEAN F. CONRAD,

Plaintiff,

v.

ORDER  
05-CV-695A

TOYOTA MOTOR MANUFACTURING, et al.,

Defendants.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On November 28, 2006, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that the Court exercise its discretion, pursuant to Fed. R. Civ. P. 41(b), to dismiss this action for failure to comply with a court order and failure to prosecute.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, this action is dismissed for failure to comply with a court order and failure to prosecute pursuant to Fed. R. Civ. P. 41(b). The Clerk of Court is directed to take all steps necessary to close the case.

IT IS SO ORDERED.

/s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: December 20, 2006